

Assembly Bill No. 1229

Passed the Assembly August 19, 2010

Chief Clerk of the Assembly

Passed the Senate August 18, 2010

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2010, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 903.47 of the Welfare and Institutions Code, relating to juvenile court costs.

LEGISLATIVE COUNSEL'S DIGEST

AB 1229, Evans. Juvenile court costs.

Existing law provides for the appointment of counsel to represent a minor in juvenile court proceedings, as specified. The father, mother, spouse, or other person liable for the support of the minor is liable to the county for those costs, except as specified.

Existing law authorizes the court, with the consent of the county and pursuant to the terms and conditions agreed upon by the court and the county, to designate a financial evaluation officer to make financial evaluations of liability for reimbursement pursuant to the provision governing liability for the cost to the county or the court of legal services rendered to a minor.

This bill would additionally authorize the court to designate a court financial evaluation officer to make evaluations of liability for reimbursement for the costs of legal services rendered to a minor. The bill would also require both the court financial evaluation officer and the county financial evaluation officer to follow the procedures set forth for county financial evaluation officers, as specified.

The people of the State of California do enact as follows:

SECTION 1. Section 903.47 of the Welfare and Institutions Code is amended to read:

903.47. (a) The Judicial Council shall establish a program to collect reimbursements from the person liable for the costs of counsel appointed to represent parents or minors pursuant to Section 903.1 in dependency proceedings.

(1) As part of the program, the Judicial Council shall:

(A) Adopt a statewide standard for determining the ability to pay reimbursements for counsel, which shall at a minimum include the family's income, their necessary obligations, the number of

individuals dependent on this income, and the cost-effectiveness of the program.

(B) Adopt policies and procedures allowing a court to recover from the money collected the costs associated with collecting delinquent reimbursements. The policies and procedures shall at a minimum limit the amount of money a court may recover to a reasonable proportion of the delinquent reimbursements collected and provide the terms and conditions under which a court may use a third party to collect delinquent reimbursements.

(2) The money collected shall be deposited as required by Section 68085.1 of the Government Code. Except as otherwise authorized by law, the money collected under this program shall be utilized to reduce caseloads, for attorneys appointed by the court, to the caseload standard approved by the Judicial Council. Priority shall be given to those courts with the highest attorney caseloads that also demonstrate the ability to immediately improve outcomes for parents and children as a result of lower attorney caseloads.

(b) The court may do either of the following:

(1) Designate a court financial evaluation officer to make financial evaluations of liability for reimbursement pursuant to Section 903.1.

(2) With the consent of the county and pursuant to the terms and conditions agreed upon by the court and county, designate a county financial evaluation officer to make financial evaluations of liability for reimbursement pursuant to Section 903.1.

(c) In handling reimbursement of payments pursuant to Section 903.1, the court financial evaluation officer and the county financial evaluation officer shall follow the procedures set forth for county financial evaluation officers in subdivisions (b), (c), and (d) of Section 903.45.

Approved _____, 2010

Governor